



2011 THA - Clubs Bulletin 12

12 May 2011

QUEEN'S BIRTHDAY PUBLIC HOLIDAY

MONDAY 13 June 2011

Please note that the 2011 QUEEN'S BIRTHDAY Public Holiday for Tasmania is Monday 13 June 2011.

The Registered and Licensed Clubs Award 2010 ("the Award") provides the following arrangements for the holiday listed above:

Rates where employees are required to work on such holiday:

1. Full-Time and Regular Part-Time Employees who work on this day shall be reimbursed as follows:
 - a. Double Time and a Half (250%) for all the time worked (with a minimum of four hours at Double Time and a Half); OR
 - b. By agreement, (clause 29.3(b)) employees other than maintenance or horticultural employees may work at ordinary rates plus Half Time (150%) and:
 - i. have equivalent paid time to their annual leave, or
 - ii. receive an additional day off in lieu of such public holiday during the same week,
provided that such holiday may be allowed to the employee within 28 days after the holiday falls due.
 - c. By agreement between the employer and the majority of employees in the relevant enterprise, an alternative public holiday may be taken as the public holiday in lieu of the prescribed public holiday day (clause 34.2)
2. Casual employees who work on this day shall be reimbursed at a rate of Double Time and a Half (250%) of a Full-Time employee's ordinary hourly rate for the same classification with a **minimum** of two hours at this rate.

Rates of pay where employees are not required to work on such holiday:

1. If a Full-time employee or a Regular Part-Time employee (who **normally** works on the day of the week of the public holiday) is not required to work on the above holiday, such employee is entitled to take such day as a holiday without loss of pay (clause 56; National Employment Standards)

2. Casuals and Regular Part-Time employees (who **do not** normally work on the day of the week of the public holiday) do not receive any payment or other entitlements if they are not required to work on this holiday (clause 56; National Employment Standards).

3. For part timers working *rotating* shifts, as a guide if they are eligible for a paid day off, we suggest their rosters be reviewed to see how many Mondays they have worked in the last 12 months or since commencement; whichever is shorter. If they have worked at least 50% of the Mondays in the period, as part of good HR practice, your club may wish to consider giving them a paid day off.

Rostered day off coinciding with the above holiday

A Full-Time employee (**not** a Regular Part-Time employee) whose rostered day off falls on a public holiday must:

- be paid an extra day's pay; OR
- be provided with an alternative day off within 28 days, OR
- receive an additional day's annual leave.

Rates of pay where managers are required to work on such a holiday

1. Managers at level 7-13 inclusive (see clause 17.3 (a) (i)) and who work on this day must be paid at the rate of Double Time and a Half (250%) with a minimum payment at such rate for four hours worked.
2. Managers employed under the Award's Specified Salary provisions *i.e. paid at least 50% in excess of the minimum salary for the appropriate classification* (clause 17.3 (a) (ii)) shall be entitled to a day off if they work on this holiday.

Rates of pay where managers are not required to work on such holiday

All managers under the Award (whether they are paid under clause 17's specified salary provisions or not) who are **not** required to work on the above holiday who will be entitled to take such day as a holiday without loss of pay.

Rostered day off coinciding with the above holiday

1. Managers who are paid under the award's Specified Salary provisions (clause 17.3 (a) (i)) are entitled to an additional day's salary or another day off if their Rostered Day Off falls on this holiday.
2. Managers employed under the Award's Specified Salary provisions (clause 17.3 (a) (ii)) *i.e. paid at least 50% in excess of the minimum salary for the appropriate classification* are **not entitled** to an additional day's salary or another day in lieu if their Rostered Day off falls on this holiday

Employees working under an AWA or Collective Agreements are subject to the Public Holidays conditions within that particular agreement.

THA members wishing to discuss Public Holiday wages should contact Ben Walker on Ph. 03 6224 7033.

Regards



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